IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4936 OF 2005

I.P.Patel & Co. .. Petitioner
V/s
Union of India & Ors. .. Respondents.

Mr.C.Harishankar with Mr.S.N.Kantawala i/by Mr.Yogesh Rohira for the Petitioner.

Mr.H.V.Mehta with Mr.Y.R.Mishra for the Respondents.

CORAM: DR.S.RADHAKRISHNAN & J.H.BHATIA, JJ.

DATE : 10/08/2005.

P.C.:

1. Rule. Rule is made returnable forthwith. The learned Counsel for the Respondents waives service. By consent taken up for hearing. Heard the learned Counsel for the parties.

2. By this Petition, the Petitioner is seeking a limited relief that the Petitioner should be allowed to approach the Settlement Commission and seeks quashing of the order passed by the Settlement Commission dated 16.8.2004 declining to entertain the application. We are clearly of the view that the Settlement Commission has ample jurisdiction to entertain the applications. Under these circumstances, we quash and set aside the order passed by the Settlement Commission dated 16.8.2004 and remand back the matter to the Settlement Commission. Settlement Commission is directed to give an apportunity of personal hearing to the Petitioner and thereafter pass an order in accordance with law, as

expeditiously as possible. Rule is made absolute in terms of the above.

(DR.S.RADHAKRISHNAN J.)

(J.H.BHATIA J.)